

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

MARC VEASEY, JANE HAMILTON, SERGIO DELEON,  
FLOYD J. CARRIER, ANNA BURNS, MICHAEL  
MONTEZ, PENNY POPE, OSCAR ORTIZ, KOBY OZIAS,  
JOHN MELLOR-CRUMLEY, JANE DOE, JOHN DOE,  
LEAGUE OF UNITED LATIN AMERICAN CITIZENS  
(LULAC), and DALLAS COUNTY, TEXAS,

Plaintiffs,

v.

RICK PERRY, Governor of Texas; and JOHN STEEN,  
Texas Secretary of State,

Defendants.

Case No. 2:13-cv-193 (NGR)

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF TEXAS; JOHN STEEN, in his official  
capacity as Texas Secretary of State; and  
STEVE McCRAW, in his official capacity as  
Director of the Texas Department of Public Safety,

Defendants.

Case No. 2:13-cv-263 (NGR)

TEXAS STATE CONFERENCE OF NAACP BRANCHES;  
and the MEXICAN AMERICAN LEGISLATIVE CAUCUS  
OF THE TEXAS HOUSE OF REPRESENTATIVES,

Plaintiffs,

v.

JOHN STEEN, in his official capacity as Secretary of State  
of Texas; and STEVE McCRAW, in his official capacity as  
Director of the Texas Department of Public Safety,

Defendants.

Case No. 2:13-cv-291 (NGR)

## UNOPPOSED MOTION TO CONSOLIDATE

Pursuant to Rule 42 of the Federal Rules of Civil Procedure and Local Rule 7.6, the Texas State Conference of NAACP Branches and the Mexican American Legislative Caucus of the Texas House of Representatives respectfully move to consolidate *Texas State Conference of NAACP Branches, et al. v. Steen, et al.*, No. 2:13-cv-291 (S.D. Tex.) (NGR), with *Veasey, et al. v. Perry, et al.*, No. 2:13-cv-193 (S.D. Tex.) (NGR), and *United States v. Texas, et al.*, No. 2:13-cv-263 (S.D. Tex.) (NGR). Rule 42(a) establishes that “[i]f actions before the court involve a common question of law or fact, the court may (1) join for hearing or trial any or all matters at issue in the actions; (2) consolidate the actions; or (3) issue any other orders to avoid unnecessary cost or delay.” “Rule 42(a) should be used to expedite trial and eliminate unnecessary repetition and confusion,” *Miller v. U.S. Postal Serv.*, 729 F.2d 1033, 1036 (5th Cir. 1984), and “considerations of judicial economy strongly favor simultaneous resolution of all claims growing out of one event,” *Ikerd v. Lapworth*, 435 F.2d 197, 204 (7th Cir. 1970).

*Texas State Conference of NAACP Branches, et al. v. Steen, et al.* is a challenge under Section 2 of the Voting Rights Act, 42 U.S.C. § 1973, and the Fourteenth and Fifteenth Amendments to the United States Constitution, to the State of Texas’s photographic voter identification law, SB 14 (2011). *See* Compl. ¶¶ 1, 78-86 (ECF No. 1). This action raises common questions of both law and fact with the Section 2 and constitutional racial discrimination claims against SB 14 currently before this Court in *Veasey v. Perry*. *See* Am. Compl. (*Veasey* ECF No. 4). As well, this action raises common questions of both law and fact with the Section 2 claim against SB 14 as alleged in the Complaint filed by the United States in *United States v. Texas*. *See* Complaint (*United States v. Texas* ECF No. 1). In light of the complexity of these common questions, consolidation would promote the “interests of efficiency and judicial economy,” *Pittman v. Mem’l Herman Healthcare*, 124 F. Supp. 2d 446, 449 (S.D. Tex. 2000), and should therefore be granted. Indeed, in a similar

motion by the United States to consolidate *Veasey v. Perry* and *United States v. Texas*, this Court recognized that consolidation was appropriate and granted that motion on August 30, 2013. The Texas State Conference of NAACP Branches and the Mexican American Legislative Caucus of the Texas House of Representatives agree that if these actions are consolidated, they will comply with all scheduling currently in place, including that Defendants' responsive pleadings to the Complaint filed in *Texas State Conference of NAACP Branches, et al. v. Steen, et al.* shall be due no later than October 25, 2013.

Pursuant to Local Rule 7.2, counsel for the Texas State Conference of NAACP Branches and the Mexican American Legislative Caucus of the Texas House of Representatives has conferred with counsel for all Defendants and Plaintiffs in the above-captioned matters, and all parties indicated that they do not oppose this motion for consolidation.

Dated: September 18, 2013

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\*This complaint has been prepared by an institute  
affiliated with New York University School of Law,  
but does not purport to present the school's  
institutional views, if any.

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 18, 2013, I served a true and correct copy of the foregoing via the Court's ECF system on all counsel of record.

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